



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

OCT - 4 2012

Mr. Trip Oliver
Manager, Policy, Government and Public Affairs
Chevron North America
1550 Coraopolis Heights Road
Moon Township, PA 15108

**Re: Discovery Date of Incident(s): May 2, 2012 NRC Incident Report #1010390,
Regional Case # PA120475
Location of Incident(s): Robinson Township, Washington County, PA**

Dear Mr. Oliver:

On March 1, 2012, the U.S Environmental Protection Agency ("EPA") issued Chevron North America ("Chevron") an information request letter seeking information concerning the discharge of hazardous substances, pollutants or contaminants into the environment from a facility located at Robinson Township (Robinhill 15/18 Well), Washington County, PA that occurred in December 2011 (hereinafter the "Site" or the "facility", as further defined in *Enclosure 1*). On May 8, 2012, Chevron provided a response to EPA's information request letter that requires additional information. On May 2, 2012, Chevron reported to the National Response Center a continuing discharge associated with the December 2011 discharge that was the focus of EPA's March 1, 2012 information request letter. In light of the May 2, 2012, incident report, NRC Incident Report # 1010390 (Attachment 1), Chevron is required to respond fully and completely to each and every inquiry below.

EPA is requesting this information pursuant to the authority granted to it under Section 308 of the Clean Water Act, ("CWA"), 33 U.S.C. § 1318. Failure to respond fully and truthfully to this information request within the specified time frame could result in an action by EPA. The CWA permits EPA to seek the imposition of penalties of up to \$37,500.00 for each day of continued non-compliance. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001.

You are entitled to assert a claim of business confidentiality covering any part or all of the information, in a manner described in 40 C.F.R. § 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with 40 C.F.R. Part 2, Subpart B. Unless a claim of business confidentiality is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to you.

INFORMATION REQUIRED

1. Identify all substances released from the Facility in connection with the above referenced Regional Response Center Spill Number. Specifically, identify:
 - a. The name and Chemical Abstract Services ("CAS") Number for each substance discharged;
 - b. For oils, identify the type and grade;
 - c. Provide the quantity, concentration of each substance discharged and the method by which the concentration was measured or estimated. For mixtures, provide the name, quantity, and concentration of each constituent of that mixture;
 - d. Provide the solubility and specific gravity of each substance discharged.
2. Describe the physical source (including, but not limited to vehicle, outfall, tank, container, pipe, ditch, conduit, or equipment) at the Facility from which the oil and/or hazardous substance or substances (the term "substance" as used here includes both oils and hazardous substances) initially was discharged on or around May 2, 2012. If the substance was discharged from more than one source, please identify each specific source
3. Provide the total quantity of undiluted substance(s) released from the Facility in gallons for oils and in pounds for hazardous substances.
4. List the location of the discharge, including the closest street address, the city, county, state, zip code, and provide the Global Positioning System ("GPS") coordinates.
5. List the starting time, date, and duration of the discharge and the time and date when the discharge entered a waterway.
6. List the time and date of the discovery of the discharge and the person(s) who made the discovery.
7. List the federal and state agencies, if any, to which the owner and/or operator reported the discharge(s), the dates and times on which the reports were made, and the name(s) and title(s) of the person(s) who made the reports.
8. Identify the first body of water that the substance reached. Identify the actual or estimated quantity of the substance(s) that entered that water body. Describe the location of any other water bodies that the substance(s) subsequently entered, including the actual or approximate distance from the Facility. In addition, state the actual or estimated quantity of the substance(s) that entered those additional water bodies.
9. Identify any storm drains or sewers through which the substances flowed, and identify the waters to which those storm drains or sewers subsequently drain. State the actual or estimated quantity of the substance(s) that entered the storm drain or sewer.
10. Identify whether each water identified in response to Questions 8 and 9 was, at the time of the spill, "navigable water" as defined in *Enclosure 1*, a tributary of navigable water; and/or physically connected to a navigable water. Identify all such navigable waters by

name and identify the type of body of water (e.g. river, stream, lake, creek, or other type of body of water).

11. Describe any damage to animal life or vegetation that you observed or otherwise have knowledge of.
12. For all discharges of oil to navigable waters, adjoining shorelines to navigable waters, or to any other water/shoreline, please indicate the following:
 - a. Did you observe from the oil a film, sheen, discoloration or iridescent appearance on the surface or shoreline of any water? If yes, please describe your observations;
 - b. Did, to your knowledge, any other person observe from the oil a film, sheen, discoloration or iridescent appearance on the surface or shoreline of any water? If yes, please identify all such persons and describe those observations;
 - c. Did you observe any oil sludge or oil emulsion beneath the surface or on the adjoining shorelines of any water? If yes, please describe your observations;
 - d. Did, to your knowledge, any other person observe any oil sludge or oil emulsion to be deposited beneath the surface or on the adjoining shorelines of any water? If yes, please identify all such persons and describe those observations.
13. Provide a complete description of the cause or causes of the discharge (e.g., pump failure, by-pass of treatment system), as well as any other relevant circumstances. If the discharge was caused by the actions of a third party (for instance, as the result of an accident or vandalism), describe in detail the measures that were in place to prevent such actions. For vandalism, identify any enforcement agencies to which the owner or operator reported the vandalism
14. Describe the original Site conditions prior to the work done at the Site. Provide copies of all documents, or parts thereof, that assess the extent of any wetlands at the Site, or that determine or investigate any parameter used by the U.S. Army Corps of Engineers to determine the existence of wetlands.
15. Provide copies of all permits or other authorizations provided by any governmental entity (federal, state, local) to conduct natural gas extraction operations at the facility.
16. Provide the name(s) and address(es) of the owner(s) of the Facility.
17. Provide the name and address of the operator(s) of the Facility.
18. Provide copies of all documents, or parts thereof that assess or identify or purport to assess or identify the extent of any waters of the United States as that term is defined at 33 U.S.C. Part 328 at "The Site" including aerial photographs and plans.
19. Provide copies of any and all authorizations to discharge dredged and/or fill material pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344) issued to Respondent and/or any parent, subsidiary or affiliated entity by the U.S. Army Corps of Engineers or issued by Pennsylvania on behalf of the U.S. Army Corps of Engineers at "The Site".
20. Did you or anyone acting on your behalf have any communications, either verbally or in writing, with any representatives of the U.S. Army Corps of Engineers (Corps), the

Pennsylvania Department of Environmental Protection (PADEP), with regard to work at the Site or compliance with the Clean Water Act at the Site? If so, state the name and telephone number of the person(s) with whom you communicated or with whom communications were made on your behalf. Provide copies of any and all written communications between you and anyone acting on your behalf and any representatives of the Corps, PADEP, including all notes, memoranda, transcriptions, or other documents memorializing any conversations by and between you and anyone acting on your behalf and any representatives of the Corps or PADEP.

21. Provide copies of all physical data taken at the Site and the location for the taking of all such data (in as precise a form as information for each such location is available), including readings from water monitoring wells located at the Site, and the results of all water, soil or vegetation sampling taken at the Site, analysis of discharge monitoring points, and any and all sampling and/or monitoring information. Provide all documents memorializing any and all water, wastewater, or effluent monitoring and/or soil or vegetation sampling taken at the Site.
22. What steps were taken, if any, to determine the extent of wetlands and waterways on the Site? Provide copies of all documents, or parts thereof, that assess the extent of any wetlands at the Site, or that determine or investigate any parameter used by the U.S. Army Corps of Engineers to determine the existence of wetlands.
23. With regard to the streams, whether perennial or intermittent, creeks, seeps, fissures, drainage ways, impoundments, dams, ponds and any other water bodies whether flowing or static, please state: a) the origin of the water body; b) the date or dates on which it was impacted, including but not limited to, being buried, channeled, relocated, culverted, piped, or impounded; c) the names of the contractors or other entities that performed the work; d) the extent of the disturbance; and e) the exact nature of the disturbance.
24. Have you or anyone working on your behalf performed an extent of wetlands determination for the Site?

Your response should be mailed within **thirty (30) days** of your receipt of this letter to:

Paula Curtin
Oil and Prevention Branch (3HS61)
U.S. Environmental Protection Agency, Region III
1060 Chapline Street, Suite 303
Wheeling, WV 26003

Please certify the information provided in response to this letter in the following manner:

I hereby certify the information to be true and accurate to the best of my knowledge.

Signature: _____
Name (Please print or type): _____
Title: _____
Telephone Number: _____

This request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 et seq., because it seeks collection of information from specific entities as part of an administrative investigation.

If you have any questions on this matter, please call Paula Curtin at (304) 234-0256.

Sincerely,

A handwritten signature in cursive script, appearing to read "Karen Melvin".

Karen Melvin, Associate Division Director
Office of Enforcement
Hazardous Site Cleanup Division

cc: Todd Lutte (3EA30)

Enclosure 1

DEFINITIONS

The following definitions shall apply to the following words as they appear in this Request:

Clean Water Act Definitions

1. **Discharge:** For purposes of Section 311 of the Act, a discharge to navigable waters or adjoining shorelines includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping, but excludes certain discharges in compliance with a permit under Section 402 of the Act.
2. **Drill Pad:** Drill pad shall mean any drilling pad, platform, or other structure designed for use and/or actually used to drill for purposes of natural gas production, and shall include any and all equipment such as drill rigs, contained thereon.
3. **Onshore Facility:** The term onshore facility shall mean any facility (including, but not limited to, motor vehicles and rolling stock) of any kind located in, on, or under, any land within the United States other than submerged land.
4. **Offshore Facility:** The term offshore facility shall mean any facility of any kind located in, on, or under, any of the navigable waters of the United States, and any facility of any kind which is subject to the jurisdiction of the United States and is located in, on, or under any other waters, other than a vessel or a public vessel.
5. **Navigable Waters:** Navigable waters of the United States means navigable waters" as defined in section 502(7) of the Federal Water Pollution Control Act ("FWPCA"), and includes: (1) All navigable waters of the United States, as defined in judicial decisions prior to passage of the 1972 Amendments to the FWPCA (Pub. L. 92-500), and tributaries of such waters; (2) Interstate waters; (3) Intrastate lakes, rivers, and streams which are utilized by interstate travelers for recreational or other purposes; and (4) Intrastate lakes, rivers, and streams from which fish or shellfish are taken and sold in interstate commerce.
6. **Well:** The term means any well that is used for or is related to natural gas production.